IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 20330 of 2004

Between:

Smt.Gayam Venkamma, w/o Ramaiah, aged 38 years,

r/o Karumanupalli Village, Tarlupadu Mandal, Prakasam District.

..... PETITIONER

AND

1 The District Collector, Ongole, Prakasam District.
2 The Project Director, I.C.D.S., Ongole, Prakasam District.
3 The Child Development Officer, I.C.D.S.Tarlupadu, Prakasam District.
4 The Sector Supervisor, I.C.D.S., Tarlupadu, Prakasam District.

5 G.Alluramma W/o Bali Reddy, aged 38 years,

6. Y.Subbalakshmamma W/o Musala Reddy, aged 40 years,

7. D.Ravanamma W/o Subba Reddy, aged 20 years,

8. G.Lakshmi Devi W/o Kasi Reddy, aged 21 years,

9. K.Rajeswari, W/o Malla Reddy, aged 23 years,

10. Paliyadugu Basamma W/o Srinivasulu Reddy, aged 21 years,

11. V.Kumari W/o James, aged 25 years,

12. M.Venkatalakshmamma W/o Dasu, aged 25 years,

(Respondents 5 to 12 are R/o Tarlupadu mandal, Prakasam District.)

(Respondents 5 to 12 are impleaded as per Court orders dt.25.03.2005 in WPMP

NO.3107 of 2004).

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue writ order or direction more particularly one in the nature of writ of mandamus, declaring the action of the 4th respondent in constituting the Mothers Committee by appointing 5 members contrary to the guidelines issued in G.O.Ms.No.15 dt.16-4-2001 as illegal and arbitrary and consequently direct the respondents herein to constitute a new Mother Committee strictly adhering to the guidelines issued in the G.O.Ms.No.15 dt.16-4-2001.

Counsel for the Petitioner:K.ARUNA

Counsel for the Respondent No.1: GP FOR SOCIAL WELFARE

Counsel for the Respondent Nos.2 to 4: GP FOR WOMEN DEV. & CHILDWELFARE

Counsel for the respondents 5 to 12: Mr. A.Ganga Rama Reddy

The Court made the following :

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O R D E R:

The petitioner submits that she was the Chairman of the Mothers Committee along with 7 members constituted on 01.08.2001 for a period of two years. Subsequently, the Government issued guidelines for constitution of mothers committee in G.O.Ms.No.15, Women Development Child Welfare & Disabled Welfare (ICDS) Department, dated 16.04.2002. As per the guidelines issued in the said G.O. the Supervisor shall convene a meeting with the members stipulated in Clause 2 and constitute a mothers committee of the women in between the age group of 15 to 45 years and as per Clause 6 the guidelines have been stipulated for selection of the particular mother. It is stated that as per Clause 7 the selection of the members shall be from all habitations/wards of the village and shall not be from one habitation/ward or one family only. The representation shall be from all the committees of the village.

The learned counsel appearing for the petitioner stated that the mothers committed was constituted on 07.07.2004 in respect of the women hailing from Ward No.1 alone.

A counter has been filed on behalf of the respondents 2 to 4 by the 4th respondent who is the concerned officer to constitute a mothers committee stating that he has convened a general body meeting of the beneficiaries on 07.07.2004 and selected five members on that day and on 04.08.2004 he has selected three more members constituting the mothers committee consisting of eight members. It is further stated that the selection of the eight members mothers committee was made as per the G.O.Ms.No.15, Women Development Child Welfare & Disabled Welfare (ICDS) Department, dated 16.04.2002 and the members of the committee belongs to all wards of the village and also from different families.

The petitioner filed a reply giving the particulars of the five members who were selected on 07.07.2004 and that all the five members relate to first ward alone. Therefore, it may not be correct in stating in the counter by the 4th respondent that all the members of the mothers committee hails from different families and different wards.

Therefore, I am of the opinion that it is just and proper to direct the 4th respondent to convene a meeting in the presence of the second respondent who is a Project Director of I.C.D.S. for the purpose of reconstituting the fresh mothers committee if the mothers committee constituted by the 4th respondent is not in accordance with the guidelines issued in the said G.O.Ms.No.15, Women Development Child Welfare & Disabled Welfare (ICDS) Department, dated 16.04.2002.

Accordingly, the respondents 2 and 4 are directed to issue a notice well in advance to the present mothers committee as well as the different representatives as contemplated in the said G.O. for the purpose of reconstituting a fresh mothers committee if the constitution of present committee is not in accordance with the guidelines issued in the said Government Order.

The Writ Petition is accordingly disposed of directing the respondents 2 and 4 for taking appropriate action as indicated above in accordance with the said G.O. The process of reconstitution of a fresh mothers committee as

indicated in the said G.O. shall take place within six weeks from the date of receipt of a copy of this order. Till then, the interim orders granted by this Court shall continue.

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V.ESWARAIAH, J

Dated:25-03-2005

CCM

To

1 The District Collector, Ongole, Prakasam District.
2 The Project Director, I.C.D.S., Ongole, Prakasam District.
3 The Child Development Officer, I.C.D.S.Tarlupadu, Prakasam District.
4 The Sector Supervisor, I.C.D.S., Tarlupadu, Prakasam District.

5 2 CCs to the G..P. for Women & Child Welfare, High Court Buildings,

A.P.Hyderabad (OUT).

6 2 CCs to the G..P. for Social Welfare, High Court Buildings,

A.P.Hyderabad (OUT).

7 2 CD copies.